

FILED

UNITED STATES DISTRICT COURT
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

FOR THE DISTRICT OF NEW MEXICO

OCT 16 2001

LARRY GREEN,

Plaintiff,

vs.

CITY OF ALBUQUERQUE, et al.,

Defendants.

R. Schumacher
CLERK

Civ. No. 01-183 JP/WWD

REPORT AND RECOMMENDATION

On February 13, 2001, Plaintiff filed a civil rights complaint against the City of Albuquerque and certain individuals. Plaintiff was allowed free process and an order directing service was entered February 16, 2001. An Initial Scheduling Order was entered July 17, 2001, at which time a Rule 16 scheduling conference was scheduled for September 11, 2001, at 10:00 a.m. Plaintiff failed to attend the aforementioned scheduling conference, and he also failed to attend a "meet and confer" with the City. On September 13, 2001, Plaintiff was sent a letter by the Court by certified mail with a return receipt requested. The letter has been returned unclaimed (attached as Exhibit A). Plaintiff has failed to supply the Court with a change of address as required by D.N.M. LR-Civ. 83.6.

Recommendation

I recommend that this cause be dismissed pursuant to the provisions of Fed. R. Civ. P. 41(b) "[f]or failure of the Plaintiff to prosecute or to comply with these rules [of civil procedure] or any order of court"

William D. Eaton
UNITED STATES MAGISTRATE JUDGE

W.D.E.